

Erascar Javier Encarnacion-Moreta
Reg No. 53951-069
FCI-Hazelton
P.O. Box 5000
Bruceton Mills, WV 26525

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

(CASE.NO.:3:20-CR-00062-ADC)

Reg. # 53951-069

ERASCAR JAVIER ENCARNACION-MORETA,
Defendant,

V.

Honorable Judge Aida Delgado
Colon

UNITED STATES OF AMERICA,
Respondant.

MOTION FOR MODIFICATION OR REDUCTION OF SENTENCE
Pursuant to 18 U.S.C. § 3582(c)(2) (Guideline Amendment 821)

NOW COMES ERASCAR JAVIER ENCARNACION-MORETA, pro se, in want of counsel, hereby moves this court for modification or reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 821 to the United States Sentencing Guideline. First, Amendment 821 decreases "Status Points" by one point for defendants with seven or more criminal history points and eliminated Status Points for defendants with six or fewer criminal history points. "Status Points" are those points that were applied under then United States Sentencing Guideline (USSG) § 4A1.1(d), if the defendant committed his or her federal offense while on probation, parole, supervised release, imprisonment, work release, or escape status. Second, Amendment 821 provides for a decrease of two levels for "zero-Point Offenders" (no criminal history points), whose offense did not involved specific aggravating factors.

In support of this motion, I state the following:

I am serving a federal sentence for drugs in violation of 46:70503(A)(1) conspiracy to possess a control substance on board a vessel subject to the jurisdiction of the United States. I was sentenced to 87 months imprisonment and 5 years term of supervised release. I am First Step Act eligible with a applied credits of 195 days. My current release date is 12-11-2025.

I am one of many prisoners who is eligible for the two level reduction, therefore , I petition the court for this reduction. my Presentence Report scored me as having zero criminal history points.

I hereby request a court-appointed attorney although appointment of counsel discretionary upon the court.

Respectfully submitted on this day of 8 January, 2024

Signature: Erascar Javier Encarnacion-Moreta

date: JAN 8, 2024

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above motion was placed in the prison mail box with pre-paid U.S.postage affixed on this day of 8 January, 2024.

Signature: Erascar Javier Encarnacion-Moreta

Erascar Javier Encarnacion-Moreta

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